App. F. IX-4

*Previous References* P 1927. ( Land ) **File No.** 6-27

**Serial Nos.** 1-5

*Later References* ✓

# General and Revenue Secretariat.

*Serial Nos.*

**Part B for** October 1927

SUBJECT

Notice No 7927-28 from Messrs Haji Habeeb Ibn Mohammed, Merchants, Rangoon, re Inv. No. 1794-7-27 from Shalimar & Rangoon 132 bags dry chillies. Weight 200 mds Rupay Rs. 389-9-0.

Mirza Nazeer Hussain
15/12/28.

136



GENERAL AND REVENUE SECRETARIAT.

NOTES. File No. 6

FILE HEADING.

Notice re 7 1927–28
from Messers Haji Habib Haji Per Mohamed
Merchants Mysore

From Messers Haji Habib Haji Per Mohamed
Merchants, Sauthepet— Mysore,

No. Dated 26. July 1929 Received 30/7/27

| Diary No. | Enclos. | Spare Copies. | Serial No. |
|---|---|---|---|

BRIEF ABSTRACT OF LETTER.

State that certain bags of chillies carried to them at Nipani were not delivered to them after receipt and that excess charge was charged and that the market went down and that they intend to sue for damages Rs 260 and they took Delivery of the same after protest

NOTES AND ORDERS.

1) Sahd Traffic manager may perhaps be requested to send a report.
Mack
1.8.27.

2) The Railway receipt may be asked to take further action.

Reg 4/8

3) Call for report. 4/8

draft Subd
Mack
4/8/27. 4) 5/8

5/8

NOTES—First Sheet.

WD 1881—GPB—30,000—1-8-21

1795

App. F. III—2]

General and Revenue Secretariat. Air File No. 6 of 192 .

| Serial No. | |
|---|---|
| 2 | To The Traffic manager Mysore Rys. ROP 834 d 5-8-27 Calls for a report 5 Subd with a reminder 6 Expedite 9/9 9/9 9/9 |
| | ROP 1455 d 10/9/27 |
| 3 | From the Traffic Manager, Cbe — no R 295/27 d 19-9-27 forwards a report on the facts |
| 5 | Subd for perusal. From the report it is clear that the party has no cause of action and that the consignment was with the ~~party~~ consignee's knowledge lying at his risk. Suit may perhaps be awaited. Shall 24.9.27 6) The notice of the party sent to the Traffic Manager has not been returned. Maybe called for. Not subd. |
| | 7) Inc 8 9/9 |
| 4 | To the Traffic Manager Mysore Rys ROP 1694 d 27.9.27 Requests to send the notice issued from the Consignee |
| 5 | Subd From the Traffic Manager for notice no R 295/27 d 13 Oct 27 |

NOTE—Contn. sheet.

General and Revenue Secretariat. Law File No. 6 of 1927

Serial No.

8) Subd the notice has been returned. From the report it appears that the party has no cause of action and that the consignment was sent with full knowledge & at his risk. Ord for orders whether threatened suit may be awaited and whether a reply may be sent to the notice.

Noted
19.10.27

Dy Sec (D) 19/10

9) From the report of the Traffic Manager the party seems to have no cause of action. No reply need be given.

Submitted

21/10

Sd
21.10.

Sd
21.10

Sd/- Illegible
22/10/27

Illegible

Illegible
14/11/27

NOTE—Contn. sheet

WD 0324—GPB—60,000—24-5-27

Registered Post Ack. Due.

No. 20/27. Mysore, 26th July 1927.

From,
Haji Habib Haji Per Mohamed,
Merchants, Santhepet,
Mysore.

To,
The Chief Secretary
to the Government of His Highness
the Maharaja of Mysore, BANGALORE.

Sir,

Re. Inv. No. 17 of 4-7-1927 from Shalimar to Mysore.
192bags dry chillies. Weight 200Mds. To pay Rs389-9-0

We beg to inform you that the above consignment was received at Mysore on 19-7-1927 and while going to effect delivery, the station staff demanded charges on 251Mds 20 srs being the weight said to have been advised by the sending station. We asked the station master to have the bags again weighed here and to take charges on that weight instead of on a weight not taken before us. To this he refused. Thereupon we represented the same to the Traffic Manager, as per our letter of 19-7-1927. His Officer in his letter of 19-7-1927 insisted on our paying charges on the advised weight. Again we protested and said that we can pay charges only on the weight that may be got at Mysore, giving him to understand that the bags were lying at his risk. While no reply was got we informed him that the market was going down and that he is answereable for all our losses. Then he replied us in his letter No. R. 88/27 of 23-7-1927 that we may take delivery paying charges on the advised weight and make a remark for the reweight. While we went to take delivery, as per his orders, the station master demanded wharfage, for no fault of us. Again we represented to the Traffic Manager, Mysore, that the Railway was, for its own advantage, withholding delivery and as such we were not responsible for the wharfage, etc. Whereupon, he ordered delivery collecting only half of the wharfage., accordingly under protest the delivery was taken on 25-7-1927

Under these circumstances, we beg to inform you that the action of the Traffic Manager, was not in accordance with any of the rules and has brought us the following losses.

| | | |
|---|---|---|
| 1. | Excess charges taken on 24½ Mds. | Rs 47-12-1 |
| 2. | Wharfages unnecessarily taken. | Rs 15-12-0 |
| 3. | Loss of market at Re 1/- per bag. | Rs 192-0-0 |
| 4. | Cost of unnecessary correspondence, Labour, trouble and the cost of this notice. ... . ..... . ... | Rs 4- 3-0 |
| | T o t a l. | Rs 260/- |

We therefore call upon you to please pay us the above sum of Rs 260/- within two months from date failing which legal steps will be taken at your cost when you will be responsible for all the costs and damages.

Please acknowledge receipt.

Yours faithfully,

H.H.H.H. & M. Haji Habib

Haji Habib Haji Per Mohemed.

APP. F. VI. Gl.]

SUBJECT.....

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Diary No. of letter replied to.....

General and Revenue Secretariat

( )

the 192

Date of issue 5/8/27

Signed by M' Le

× to be kindly returned with reply -

List of enclosures.....

Copied by.....

Examined by.....

Section Law

File No. 6.27.

Serial No 2

No. 834 (1)

To

The Traffic Manager,
Mysore Railways

Sir

I am directed to forward in original ×× notice from Messrs Haji Habib Haji Per Mohamad d 26-7-1927 ~~Hab~~ ~~Hyderabad~~ to sue for damages of Rs 260/- in respect of certain bags of chillies not delivered after reweight - and to request that a report may kindly be forwarded to this office at an early date to enable a suitable reply to the notice being sent -

Yours etc

5/8 Secy to Govt -
Law Dept -

over

WD 01265—GPB—31,000—24-12-25

MYSORE RAILWAYS

| From | To |
|---|---|
| A. A. KHAN, ESQ., TRAFFIC MANAGER, MYSORE RAILWAYS, MYSORE. | The Secretary to the Government of H.H. The Maharaja of Mysore, Law Department, Bangalore. |
| No. R. 295/27 dated 19th September 27. | Your No. ..... dated ..... |

SUBJECT

Dear Sir,

With reference to your letter No. P. 1455 (Law) of 10th Instant, I beg to inform you that a consignment of 192 bags dry chillies booked under Invoice No. 17 of 4-7-1927 from Shalimar to Mysore, was received at Mysore on 19-8-1927. The weight entered on the Railway Receipt was 200 maunds. But, the B.N. Railway subsequently advised Mysore Station that the actual weight of the consignment was 251½ Mds. Therefore, charges were demanded on 251½ Mds.

2) The party wrote to me to reweigh the consignment and to charge on the weight taken at Mysore. On the same day, the party was informed that he must pay charges on the weight of 251½ Mds. as advised by the forwarding station and if the weight of the consignment was found to be less than the advised weight i.e. 251½ Mds. he will be refunded with the amount collected in excess, if any, giving him to clearly understand that if he fails to pay the amount as required by the staff at Mysore, the consignment would be lying at his risk incurring wharfage charges.

3) When the party again wrote me on 20th July 1927 stating that he would pay only the charges entered on the Railway Receipt and asking us to order for the consignment being delivered collecting charges as such, he was distinctly told that he must pay charges as advised by the forwarding station and he would be allowed to make suitable remark in the Delivery Book as to the weight actually recorded at Mysore.

4) In spite of these, the consignment was not taken delivery of by the party. But he approached me requesting for orders being issued for delivering the consignment free of wharfage. Thereupon, the

P T O

the Station Master, Mysore was directed to deliver the consignment collecting only half the amount of wharfage charges in addition to the freight charges due on this consignment on the advised invoiced weight allowing the party to make the requisite remark as regards the actual weight of the consignment in the Delivery Book.

Yours faithfully,

Traffic Manager.

TPR.

APP. F. VI. G1.]

SUBJECT.....

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Section Miscn

File No. 6-27

Serial No. 4

*Diary No. of letter replied to*.....

No. 1694

General and Revenue Secretariat

( )

*the* *192*

To

The Traffic Manager

Mysore Rly

Date of issue 27/9/27

Signed by Mr T

Sir

With reference to your letter no R.295/27 dt 19/20-9-27 regarding the consignment of 152 bags of chillies booked from Shalimar to Mysore, I am directed to state that the notice from the Consignee sent to you under this office no 0-893 dt 5/8/27 has not been received back & to request that it may be returned urgently.

I have

&

27/9 for Secy to Govt

Rev Dept.

List of enclosures.....

Copied by.....

Examined by.....

*over*

G. R. S. III—3]

## ROUTINE NOTES.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

WD 1036—150 pads of 100 pages each—16-4-27.

**MYSORE RAILWAYS** T 34

All communications should be addressed By TITLE, not By NAME

**TRAFFIC MANAGER'S OFFICE,**

Mysore, 13th October 1927.

Tel. Address—"TRANSFER"

No. R.295/27

To

The Secretary to the Government
of His Highness the Maharaja of Mysore,
Law Department, Bangalore.

Dear Sir,

With reference to your letter No.P.1694/Law.6.27 of 27th Septr.1927, I beg to return herewith the Notice addressed to your office by the party as desired.

Yours faithfully,

For Traffic Manager

(Enc.1)

N.B.—Should routine notes be written on small slips they must be copied, or slips pasted on this form.